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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re. Application of:	Timothy J. Ley, Brian J. Brown
Application No.:	10/055,307
Filed:	January 23, 2002
For:	Multi-Layer Stent
Examiner:	Vi X. Nguyen
Group Art Unit:	3731

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2-8618-US01

FACSIMILE TRANSMITTAL LETTER

TO: Examiner Nguyen

DATE: May 17, 2005

FACSIMILE NO.: 703-872-9306

TIME: 1:30 p.m.

GROUP ART UNIT: 3731

TOTAL NUMBER OF PAGES (including cover letter): 2

Following please find a 1 page Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences in addition to this 1 page Facsimile Transmittal Letter.

If a fee is required, Commissioner of Patents is hereby authorized to charge Deposit Account No. 22-0350 for any required fees. To the extent that any petition is required to consider this communication, please treat this as such a petition.

Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: May 17, 2005

By:

James M. Urzedowski
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Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306, on May 17, 2005.

Signature:

Rebecca M. Painschab
Rebecca M. Painschab

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NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.

CONDITIONAL PETITION FOR EXTENSION OF TIME

In the event a petition for extension of time is required and has not otherwise been requested or in the event the period specified is incorrect please consider this a petition for the appropriate extension therefore.

I am the attorney or agent of record.

05/18/2005 YPOLITE1 00000011 220350 10055307

01 FC:1401 500.00 DA

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: May 17, 2005By: 

James M. Urzedowski
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